



Administrative Regulation 3329 PROCUREMENT PROTOCOLS – FEDERAL FUNDS

Responsible Office: Office of Business and Financial Services

PURPOSE

Through this regulation, the District establishes procedures necessary to comply with state and federal laws and regulations related to purchases of supplies and services utilizing federal monies by the Washoe County School District ("District" or "WCSD").

REGULATION

1. All procurement protocols, to include bidding processes and conditions of a contract award, shall comply with the District's policies and procedures, to include Board Policy 3321, Bids/Quotations and Contracts and the associated administrative regulation, as well as applicable state and federal laws and regulations.
2. The District shall utilize the following methods and transaction thresholds for the purchase of supplies and services in order to comply with state and federal procurement procedures, and specifically the U.S. Office of Management and Budget ("OMB) and the U.S. Education Department General Administrative Regulations ("EDGAR"), when utilizing federal monies, to include federal grants.
3. In the purchase of supplies and services described in this regulation, the District shall comply with the stricter of the applicable law, whether that is state or federal law/regulation.
4. Purchase Thresholds and Procedures
 - a. The purchase thresholds for the categories listed below are established by the U.S. Office of Management and Budget (see 2 CFR § 200.320) and are periodically adjusted for inflation.
 - i. Micro-Purchase Procedures. The micro-purchase threshold is less than \$10,000.
 1. Micro-purchase refers to the purchase of supplies or services using simplified procedures. Staff are not required to utilize the quotations or bidding processes for micro-purchases but shall make an effort to be equitable among suppliers.
 2. These procedures are used in order to expedite the completion of low-dollar small purchase transactions and to minimize the associated administrative burden and cost.

- ii. Small Purchase Procedures. The small purchase threshold is \$10,000 or more and less than \$250,000.
 1. Small purchase procedures are methods for securing services, supplies, or other property in an aggregate amount of \$10,000 or more but less than \$250,000.
 2. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
 - a. Every effort will be made to obtain at least 3 quotes (more are acceptable).
 - b. If the department can demonstrate that multiple (more than 3) quotes were requested, but at least 3 were not obtained, the quote can be processed with 2 upon presentation of documentation to the Purchasing Department.
 - c. If the department is unable to secure at least 2 quotes, an exemption for sole source or insufficient competition may be applicable and the Purchasing Department should be contacted for guidance.
 3. The sealed bid/competitive proposal process or request for proposal process may not be required for small purchases unless that state law is stricter and the purchase is applicable to state law. Refer to the Purchasing Department to ensure the correct process is utilized.
 4. When purchasing goods that are subject to state law (NRS Chapter 332, Purchasing: Local Governments), the District shall follow federal guidelines for purchases that are equal to or greater than \$10,000, unless:
 - a. The purchase exceeds \$50,000,
 - b. State law is stricter, and
 - c. A sealed bid is required.

- iii. Request for Proposal (RFP) or Sealed Bid Procedures. The threshold for a request for proposal or sealed bid may vary depending on the goods or services being purchased and the applicable state or federal regulation. Refer to the WCSD Purchasing Department.
 - 1. If the transaction is \$250,000 or more, sealed bids or competitive proposals must be used (lower thresholds may apply if the purchase is subject to NRS Chapter 332, Purchasing: Local Governments), and the following requirements apply:
 - a. The sealed bid process is facilitated through and handled by the District's Purchasing Department. Schools and departments are not permitted to do their own sealed bid process.
 - b. Bids must be solicited from an adequate number of known suppliers in accordance with District procedures;
 - c. The invitation for bids shall be publicly advertised, include any specifications and pertinent attachments, and define the items or services in order for the bidder to properly respond; and/or
 - d. All bids will be opened publicly at the time and place prescribed in the invitation for bids;
- 5. Exemptions to the federal regulations are limited to the following:
 - a. The item is available only from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
 - d. After solicitation of a number of sources, competition is determined inadequate.

DESIRED OUTCOMES

1. Through this regulation, the District seeks to:
 - a. Comply with state and federal laws and regulations related to the purchase of goods and services using federal monies; and
 - b. Implement and maintain fair and equitable purchasing procedures.

IMPLEMENTATION GUIDELINES & ASSOCIATED DOCUMENTS

1. This policy aligns with the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
 - a. Board Policy 3320, Purchasing Procedures
2. This Administrative Regulation complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), and specifically:
 - a. Chapter 332, Purchasing: Local Governments
3. This policy complies with federal laws and regulations, to include:
 - a. The U.S. Office of Management and Budget (OMB) Uniform Administrative Requirements Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"), 2 CFR § 200.320.

REVIEW AND REPORTING

1. This administrative regulation shall be reviewed as part of the bi-annual review and reporting process, following each regular session of the Nevada Legislature. The Board of Trustees shall receive notification of any required changes to the guiding policy as well as an audit of the accompanying governing documents.
2. Additional administrative regulations and/or other associated documents may be developed as necessary to implement and support this administrative regulation.

REVISION HISTORY

Date	Revision	Modification
9/19/2018	1.0	Adopted